Supreme Court, U.S.
FILED
AUG 8 - 2005
OFFICE OF THE CLERK

(12)

No. 04-1144

IN THE

Supreme Court of the United States

KELLY A. AYOTTE, ATTORNEY GENERAL OF NEW HAMPSHIRE, IN HER OFFICIAL CAPACITY,
Petitioner,

v.

PLANNED PARENTHOOD OF NORTHERN NEW ENGLAND, *ET AL.*,
Respondents.

On Writ of Certiorari to the United States Court of Appeals for the First Circuit

AMICUS BRIEF OF THE AMERICAN CENTER FOR LAW AND JUSTICE IN SUPPORT OF THE PETITIONER

JAY ALAN SEKULOW
Counsel of Record
THOMAS P. MONAGHAN
STUART J. ROTH
WALTER M. WEBER
AMERICAN CENTER FOR LAW & JUSTICE
201 Maryland Avenue, N.E.
Washington, DC 20002
(202) 546-8890

Attorneys for Amicus

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INTEREST OF AMICUS[1]

The American Center for Law and Justice (ACLJ) is a nonprofit public interest law firm and education organization dedicated to protecting First Amendment freedoms, human life, and the family. ACLJ attorneys have briefed and argued, or presented the views of amici curiae, in numerous cases before this Court on these issues.

This brief is being filed with the consent of the parties.

SUMMARY OF ARGUMENT

The First Circuit struck down New Hampshire's parental notification law for lack of a "health" exception. The court below viewed this Court's precedents as imposing a *per se* blanket requirement that any and all abortion laws contain an exemption for maternal "health."

In so ruling, the court below went badly astray.

First, the Constitution imposes no such across-the-board "health" exception to otherwise valid abortion laws. This Court has never imposed such a requirement outside of the context of laws *banning* abortion or particular methods of abortion. More particularly, this Court has repeatedly sustained parental involvement requirements for abortion by minors without any suggestion that, in addition to any judicial bypass option, a broad "health" exception must also be available. To impose a new across-the-board "health" exception would render abortion laws largely meaningless because of the breadth and subjectivity of that exception. Moreover, this new requirement would expose to renewed challenge a host of abortion regulations previously adjudged constitutional. Even more importantly, a broad

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[1]No counsel for a party in this case authored this brief in whole or in part, and no person or entity, other than *amicus curiae*, its members, or its counsel, made a monetary contribution to the preparation or submission of this brief.

exception for "health" abortions would actually *jeopardize the health of minors* because of the harms associated with abortion, and in particular with secret abortions by minors, as explained in the following argument point.

The second principal fault with the First Circuit's rationale was its total disregard for the competing harms posed by the *allowance* of secret abortions by minors. The Constitution permits a state to weigh these countervailing threats and to strike a reasonable balance. A state may therefore properly decline further to loosen its parental involvement laws by adding a broad "health" exception. The greater incidence of secret abortions by minors that could be expected to result from such an exception would, aside from the obvious harms to a minor's unborn child and to the rights of the minor's parents, expose minors themselves to a greater risk of:

- coerced abortions
- incomplete, deceptive, or biased abortion counseling
- substantial emotional harm from abortion
- significant physical harm from abortion
- state endorsement of a minor's deceit of her parents
- cover for sexual predators.

These valid, indeed compelling concerns find ample support in the previous decisions of this Court and in the relevant published literature. In addition, the actual experiences of women who had secret abortions as minors, whose sworn testimony was among the hundreds of post-abortion affidavits recently submitted to a Senate subcommittee, vividly illustrates both the reality and the seriousness of these concerns.

In balancing the competing interests, New Hampshire reasonably and legitimately declined to adopt a broad "health" exception that would further expose minors to the grave risks associated with secret abortions.

ARGUMENT

The First Circuit held that New Hampshire's Parental Notification Prior to the Abortion Act (the "Act") is *per se* facially unconstitutional because it does not contain an exception for "health." *Planned Parenthood of Northern New England v. Heed*, 390 F.3d 53, 62 (1st Cir. 2004). This holding is erroneous and should be reversed.

In addition to other flaws,[2] the decision below failed to

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[2]Perhaps most glaring is the First Circuit's conclusion that the well-settled standard for facial challenges, set forth in a long line of cases including *United States v. Salerno*, 481 U.S. 739, 745 (1987), *Reno v. Flores*, 507 U.S. 292, 301 (1993), and *Ohio v. Akron Center for Reproductive Health*, 497 U.S. 502, 514 (1990) (per Kennedy, J., joined by Rehnquist, C.J., & White, Stevens, O'Connor, & Scalia, JJ.), no longer applies to abortion regulations. *See* 390 F.3d at 57-58. But contrary to the First Circuit's conclusion, this Court's decisions in neither *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), nor *Stenberg v. Carhart*, 530 U.S. 914 (2000), purported to alter the standard for facial challenges or to overrule prior decisions applying that standard. *See, e.g., Connecticut v. Menillo*, 423 U.S. 9, 9-10 (1975) (per curiam) (total ban on abortions was *not* "null and void, and thus incapable of constitutional application"; to the contrary, ban could still be *valid as applied*).

The First Circuit based its conclusion on the *Casey* Court's embrace of the "undue burden" test for judging the constitutionality of abortion statutes, and *Stenberg*'s reaffirmation of that test. 390 F.3d at 57. But this mixes apples and oranges. The "undue burden" test in the abortion context no more precludes invocation of the *Salerno* standard than does the "reasonable foundation" test in the context of INS regulations. *See Reno*, 507 U.S. at 301, 309 (invoking *Salerno* standard and then applying substantive "reasonable foundation" test to evaluate constitutionality of particular rule). The "facial vs. as applied" nature of a challenge determines the *scope* of the challenge (viz., to the entire statute vs. to a particular application) and thus the possible resultant *relief* (viz., total invalidity vs. partial invalidity). The particular constitutional test on the *merits* (e.g., "undue burden," "excessive

(continued...)

consider two crucial points.

First, this Court has never imposed an across-the-board "health" exception for *all* abortion regulations, and in fact has rejected such a claim both expressly and by implication. To impose such a novel exception would throw this Court's abortion jurisprudence into disarray and would prompt widespread challenges to laws already upheld in court.

Second, the First Circuit failed to appreciate the harms that flow from *allowing* minors to undergo secret abortions. The state of New Hampshire, facing alleged harms on both sides of the equation -- from the denial *and* from the allowance of secret abortions by teenage children -- struck a balance designed to minimize both potential harms. The Constitution does not require states -- or courts -- to overlook the very real harms suffered by women who undergo secret abortions as minors.

I. AN ACROSS-THE-BOARD "HEALTH" EXCEPTION WOULD BE UNPRECEDENTED AND UNWARRANTED AND WOULD JEOPARDIZE MANY ABORTION REGULATIONS ALREADY UPHELD.

In *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), this Court held that laws banning abortion must contain exceptions for those abortions necessary to preserve the life or "health"[3] of the

[2](...continued)
entanglement," "cruel and unusual") determines whether that challenge will succeed. The two concepts are distinct, and the First Circuit erred by confusing them.

[3]In *Doe v. Bolton*, 410 U.S. 179, 192 (1973), this Court defined "health" so broadly as to render the term virtually unrecognizable: "all factors -- physical, emotional, psychological, familial, and the woman's age -- relevant
(continued...)

mother. In *Stenberg*, this Court extended the "health exception" requirement to laws banning particular *methods* of abortion. But this Court has *never* held that *all* laws regulating the provision of abortions must contain a "health" exception. Indeed, this Court has explicitly and implicitly rejected such a contention. To embrace such a *per se* requirement now would be to make a shambles of existing abortion regulations.

A. This Court Has Never Required a Blanket "Health" Exception for All Abortion Regulations.

This Court *explicitly* rejected a "health" exception in the context of abortion funding. In *Harris v. McRae*, 448 U.S. 297 (1980), this Court ruled that governments could bar the use of taxpayer funds *even for abortions necessary to preserve maternal health*. *Id.* at 316-17.

This Court *implicitly* rejected a health exception in the context of a 24-hour waiting period, in which this Court held sufficient an emergency exception that covered, not all "health" concerns, but only genuinely serious threats of "substantial and irreversible consequences" to maternal physical health. *See Casey*, 505 U.S. at 800 (joint opinion), 902 (quoting statute).

Most pertinent here, this Court has implicitly, and repeatedly, rejected a "health" exception in precisely the context of parental involvement laws. In case after case, this Court found sufficient the addition -- as here -- of a judicial bypass option. *See Bellotti v. Baird*, 443 U.S. 622 (1979) (*Bellotti II*); *Planned Parenthood*

[3](...continued)
to the well-being of the patient." In no other context has this Court declared an essentially illimitable constitutional right to an exemption from laws in order to preserve one's life, much less one's physical health or mere "well-being." Indeed, if such were the constitutional rule, there would have to be "health" exceptions for military draft evasion laws, proscriptions against unapproved experimental drugs and narcotics, vaccine requirements, school attendance laws, and a vast array of other legal obligations.

Ass'n of Kansas City v. Ashcroft, 462 U.S. 476 (1983); *Hodgson v. Minnesota*, 497 U.S. 417 (1990); *Ohio v. Akron Center for Reproductive Choice*, 497 U.S. 502 (1990); *Casey*, 505 U.S. at 899-900 (joint opinion); *Lambert v. Wicklund*, 520 U.S. 292 (1997) (per curiam).

The First Circuit dismissed this line of cases as not having *expressly* considered whether a "health" exception was necessary. 390 F.3d at 60. But the *Roe* test -- including "health" exceptions for abortion bans -- was hardly a secret this Court might have somehow overlooked. And in *Casey*, this Court both reaffirmed *Roe*'s requirement of a "health" exception *and* sustained a parental involvement law that contained no such exception. *See* 505 U.S. at 899-900 (upholding requirement), 904-06 (quoting statute).

B. A Blanket Requirement for a "Health" Exception Would Jeopardize Many Valid Abortion Regulations and Actually Endanger Women's Health.

The alleged *benefit* of a broad "health" exception is deceptively obvious -- the seeming avoidance of certain potential risks, no matter how small. The *cost* of a broad "health" exception, by contrast, may be less obvious and thus deserving of some elaboration.

1. Evisceration of abortion laws

One cost of a broad "health" exception should be plain: if "health" means virtually everything, then laws with "health" exceptions mean virtually nothing. Subjecting any and all abortion laws to the practically unreviewable judgment of the abortionist that it might be marginally more "healthy" to disregard a given legal requirement would be effectively to sacrifice the important, even compelling, state interests

underlying such laws. *See Stenberg*, 530 U.S. at 972 (Kennedy, J., dissenting) ("A ban which depends upon the 'appropriate medical judgment' of [the abortionist] is no ban at all. . . . This, of course, is the vice of a health exception resting in the physician's discretion"). And in a competitive "race to the bottom," those abortionists with the most lax and malleable understanding of "health" would tend to become the most sought-after providers.

2. Unleashing of new wave of challenges to abortion laws

Another important cost of a broad *per se* "health" exception is less obvious but no less inevitable: the launch of an extensive new wave of challenges to countless abortion regulations already upheld. Any law touching upon abortion but lacking an express exception for "health" would become vulnerable to immediate constitutional attack. This has already begun to happen with parental involvement laws, and not just in the present case. *See Planned Parenthood of the Rocky Mtns. Servs. v. Owens*, 287 F.3d 910 (10th Cir. 2002); *Planned Parenthood of Idaho v. Wasden*, 376 F.3d 908 (9th Cir. 2004), *cert. denied*, 125 S. Ct. 1964 (2005). The same will surely happen to a range of other laws. For example, if all abortion laws must contain a "health" exception, then how could a court sustain a law imposing a blanket ban on abortions by nonphysicians? *But see Mazurek v. Armstrong*, 520 U.S. 968 (1997) (per curiam). A law requiring *all* abortions after the first trimester to be done in hospitals? *But see Simopoulos v. Virginia*, 462 U.S. 506 (1983). A law barring the use of state employees, facilities, or funds for abortions? *But see Webster v. Reproductive Health Services*, 492 U.S. 490 (1989).

3. Exposure of women to harms associated with abortions

A third, but by no means less important, cost from the imposition of a broad "health" exception is the harm *on the other side of the equation*, i.e., the harm that can result from proceeding with an alleged "health" abortion despite the otherwise governing law.

As discussed in greater detail below, such costs are all too real for minors who undergo secret abortions. *See infra* § II. But the harms are not limited to minors. More and more women who have had abortions have been summoning the courage to speak out about the grave emotional and physical toll their abortions took on them. *See, e.g.*, www.silentnomoreawareness.org (Silent No More Awareness Campaign), www.afterabortion.org (Elliot Institute), www.operationoutcry.org (Justice Foundation; links to testimonies of women hurt by abortion), www.lovematters.com/women.htm (testimonies). More and more published, peer-reviewed studies are indicating that abortion, far from being a health panacea, may in fact be a health disaster for women (not to mention, of course, their unborn children). *See* T. Strahan, *Detrimental Effects of Abortion: An Annotated Bibliography with Commentary* (2001). How much of this harm, grief, and personal tragedy might have been averted had abortion not been all too readily available (i.e., because tax-funded, or offered without any period of reflection or truly informed consent, or free from the accountability and market effects of quality controls required of other medical facilities)?

In sum, there are powerful reasons why this Court should not impose a new, universal requirement of a "health" exception for any and all abortion regulations (and in particular, for parental involvement laws). If anything, this Court should take a long, hard second look at the untoward consequences of the *Roe/Casey* "health" exception, as expanded in *Doe* and *Stenberg*.

II. THE HARMS RESULTING FROM SUBJECTING MINORS TO SECRET ABORTIONS JUSTIFY A STATE NOT ADOPTING AN OPEN-ENDED "HEALTH" EXCEPTION.

As discussed above, there are two sides to the balance a state faces when regulating in the context of abortion. Respondents Planned Parenthood *et al.* focus exclusively on one side -- the harms that arguably might result to certain minors should particular medical scenarios arise. But a state may take a more balanced approach and consider the actual and potential harms on all sides. Any additional loosening of parental involvement laws will likely result in more secret underage abortions. A state is entitled to weigh the harms associated with such abortions and to balance those harms against the hypothetical cases respondents proffer. As this Court has observed, parental involvement laws reflect "the quite reasonable assumption that minors will benefit from consultation with their parents and that children will often not realize that their parents have their best interests at heart." *Casey*, 505 U.S. at 895.

The secret abortion of a minor's pregnancy results, like all abortions, in the destruction of an unborn child, a matter the state is entitled to consider. Also compromised *pro tanto* are the rights of parents to direct the upbringing of their children and to supervise and manage their children's health care.

Less commonly known are the specific harms a secret abortion can visit upon the minor herself. These countervailing "health" harms, very significant and probably far more real than respondents' strained hypotheticals, amply justify a state's decision not to weaken its parental involvement statute with a porous "health" exception.

The harms set forth below are illustrated with accounts taken from the sworn testimony of actual women who had secret

abortions as minors. These women were among the hundreds upon hundreds whose statements were recently submitted to a Senate subcommittee. *See* "Affidavits of Post-Abortive Women Filed in the Roe v. Wade and Doe v. Bolton Cases" (3 Vols.) (hereafter "Aff."), submitted for record of hearing in "The Consequences of Roe v. Wade and Doe v. Bolton," Senate Judiciary Committee, Subcommittee on the Constitution, Civil Rights and Property Rights of the Senate Committee on the Judiciary (hearing held on June 23, 2005).[4] There is no reason to believe that the experiences of these women are unique.

A. Coerced abortions

It is "*the woman* who must live with the implications of her decision" to abort. *Casey*, 505 U.S. at 852 (emphasis added). Yet the woman may face pressure to abort -- from boyfriends, from employers, from family members. *See, e.g.*, Rue, Coleman, Rue & Reardon, *Induced abortion and traumatic stress: A preliminary comparison of American and Russian Women*, Med. Sci. Monitor, Vol. 10, No. 10 (2004) (Table 4) (available at www.MedSciMonit.com/pub/vol_10/no_10/4923.pdf) (study found 64% of American women felt pressured by others to have abortion). A minor, because of her relative immaturity, may find it significantly more difficult to resist such pressure, and thus her abortion may not be her choice, but rather the choice of someone else.

The testimony of actual women illustrates the reality of this problem.[5]

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[4]For the convenience of the Court, the affidavits of five of these women are included in their entireties as an appendix ("Appx.") to this brief.

[5]Remarkably, of the women whose statements submitted to the Senate subcommittee indicated they had undergone secret abortions as minors, *more than half* indicated they were pressured to do so, primarily by (continued...)

Lisa B. relates:

> First abortion at 14 years old . . . . My boyfriend, 6 years my senior, served as the impetus . . . .

Aff. p. 131.

Another woman, Jennifer G., recalls:

> The [high school] counselor and I were close friends. I confided in her that I was pregnant, and she advised me the best thing to do would be to have an abortion. She told me if I continued with my pregnancy I would probably be kicked out of the dance team and my life would be complicated with a child. We talked about this almost every day and she finally made an appointment for me with an abortion clinic. I did not go to the appointment. She then continued to talk to me about how hard it would be and scheduled another appointment for me. I went to the appointment and had the abortion done. I realize now that the school counselor pressured me into having the abortion because I was happy with the news that I was pregnant. My boyfriend was happy, too. Of course, at the age of fifteen and not having confided in anyone else for advi[c]e except her, I definitely feel that she coerced me into having the abortion. I was too vulnerable at that time.

Aff. p. 500.

Tiffany P., aged 17, faced a boyfriend who had been armed with arguments by his parents:

> When I first realized that I was pregnant, I was very afraid. I first confided this information with my boyfriend. . . . [H]e ran home and told his parents. Not wanting themselves or their child to be responsible for my child or me, they

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[5](...continued)
boyfriends but also by others, including third-party adults.

> counseled him on how to persuade me to have an abortion. He did so very convincingly. I was asked to think about all that was before me in my life, graduation, college, career and all that I had to lose by having a child. And of course, there were my parents to think about. How would they deal with a single pregnant daughter? I would be letting them down dashing all of the dreams and aspirations that they held for my life. What about him, what did I expect from him and out of him? Did I really believe we were ready to be parents? Did I really want to give up all the experiences and fun that lied ahead? I guessed not.

Aff. p. 771 (Appx. 20a-21a).

Joan A. found herself surrounded on all sides by pressure to abort, including a hard sell at the abortion facility:

> I became pregnant out of wedlock at the age of 17 by my then current boyfriend. . . . He and his family then began to "talk me into" having an abortion. I have always been against abortion and at first refused to do so. I did not talk over the subject with my mother because I was frightened to tell her that I was pregnant and of her reaction. Then a good friend of my boyfriend's began to talk to me. She told me about her history of being pregnant and not married and how it had ruined her life to be a single parent and, after much persuasion, I reluctantly agreed to have the abortion. Planned Parenthood also made their fervent case to me about abortion being the only answer.

Aff. p. 1219. *See also id.* pp. 340 (pressured by high school classmate), 375 ("I was sixteen years old . . . I was afraid and confused. A friend influenced me to have an abortion"), 385 (at age 17, pressured by boyfriend and friends), 418 (at age 15, pressured by abusive boyfriend; at age 16, pressured by probation officer), 484 (at age 15, pressured by boyfriend and

sister), 551 (at age 17, pressured by boyfriend and friends), 634 (at age 16, pressured by boyfriend and his mother), 901 (at age 17, pressured by her 40-year-old boss, with whom she was having an affair), 960 (at age 17, "my boyfriend at the time gave me no other options"), 1064 (at age 14 or 15, pressured by boyfriend and his sister), 1089 (at age 16, pressured by boyfriend), 1214 (at age 17, boyfriend "manipulated me and told me if I had the abortion that we would get married"), 1272 (at age 16, pressured by boyfriend, his older brother, and the girlfriend of his older brother).

Parents can be instrumental in enabling their daughter to resist third-party pressures to abort. Tiffany P., for example, after having two abortions and getting pregnant yet a third time, finally confided her situation to her parents. When her boyfriend's parents tried to coerce her, by threats, into aborting once more, Tiffany's parents fended them off. Aff. 773-74 (Appx. 25a-28a). Tiffany was no longer a minor, yet she found relief in her parents' support. A teenager's need for parental help to resist coercion is much more probable.

B. Minor's Greater Vulnerability to Incomplete, Deceptive, or Biased Abortion Counseling

The involvement of a parent, whose critical reasoning skills, knowledge, and life experience (including particularly experience with bearing and raising children) will in almost every respect exceed those of the minor, can provide an essential check against incomplete, deceptive, or biased counseling the young teenager may otherwise face alone. *See Bellotti v. Baird*, 443 U.S. 622, 634 (1979) (plurality) (noting minor's "peculiar vulnerability" and "inability to make critical decision in an informed, mature manner"); *id.* at 635 ("minors often lack the experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them") (footnote omitted).

Lorraine B.'s experience illustrates how inadequate and one-sided counseling can be.

> I went to the clinic located next to my school. They confirmed I was three months pregnant. They asked *when* I wanted my abortion and stated that I should have it right away. They said "no one has to know about this, just fill out this paperwork and everything will be taken care of at no cost." That's all they told me. They did not offer counseling. They did not tell me about potential complications, physical or mental. They did not discuss adoption or any alternatives with me. I felt I did not even have to make a decision, it was all made for me. . . .
>
> . . . When I went in for the abortion, the doctor talked down to me and said horrible things to me about me as a person. He did not counsel me not to have the abortion. He did not counsel me about any possible side [e]ffects.

Aff. p. 61 (Appx. 2a-3a) (emphasis in original). *See also* Aff. pp. 46 (at a Planned Parenthood facility, "No other choices [besides abortion] were offered to us"), 418 ("they only spoke about the 'positives' of having an abortion"), 466 ("I was shown a tray full of all sorts of contraceptive options . . . . That is the only c[ouns]eling I received").

"The decision to abort . . . is an important, and often a stressful one, and it is desirable and imperative that it be made with full knowledge of its nature and consequences." *Planned Parenthood of Central Mo. v. Danforth*, 428 U.S. 52, 67 (1976). Yet inadequate counseling may well be the norm. *See Bellotti*, 443 U.S. at 641 ("It seems unlikely that [the minor] will obtain adequate counsel and support at an abortion clinic") (plurality) (internal quotation marks and citation omitted). Indeed, of the women whose statements submitted to the Senate subcommittee

indicate that they had secret abortions as minors, almost all denied that their counseling adequately addressed the nature and consequences of abortion. Aff. pp. 46, 61, 131, 188, 340, 385, 418, 419, 466, 484, 551, 634, 672, 901, 967, 992-93, 1064, 1089, 1137, 1214, 1272.

In at least some cases, pregnant minors are given false information. *See* Aff. pp. 340 ("I was told that it was a piece of tissue with no heart, no limbs or any other human parts, and that there were no health risks"), 771-72 (Appx. 22a) (the counselor at the abortion facility "began to explain to me that although I was approximately 12 weeks pregnant that what was inside of me was nothing more than a small glob of flesh no larger in diameter than a half dollar coin. It was not alive yet, had no heartbeat or extremities. It was just a glob of flesh"), 1137 ("I was lied to. I was told they were only giving me a pap smear"), 1214 ("I did not understand what an abortion was . . . . I was 17 at the time and told it was nothing"), 1272 ("I was told that the baby was not alive yet").

Parental involvement thus furthers "the legitimate purpose of reducing the risk that a woman may elect an abortion, only to discover later, with devastating psychological consequences, that her decision was not fully informed." *Casey*, 505 U.S. at 882 (joint opinion).

> As immature minors often lack the ability to make fully informed choices that take account of both immediate and long-range consequences, a State reasonably may determine that parental consultation often is desirable and in the best interest of the minor . . . and particularly desirable with respect to the abortion decision . . . .

Bellotti, 443 U.S. at 640 (plurality).

C. Emotional Harm to Minors and Subsequent Self-Destructive Behavior

Minors who obtain secret abortions face potentially severe mental harm. "The . . . emotional[] and psychological consequences of an abortion are serious and can be lasting; this is particularly so when the patient is immature." *Ohio v. Akron Center*, 497 U.S. at 519 (quoting *H.L. v. Matheson*, 450 U.S. 398, 411 (1981)).

An extensive body of professional literature explores the various "risk factors for emotional maladjustment to abortion." Reardon, *Abortion Decisions and the Duty to Screen: Clinical, Ethical and Legal Implications of Predictive Risk Factors of Post-Abortion Maladjustment*, 20 J. Contemp. Health L. & Pol'y 33, 39 (2003) (listing, in accompanying footnote, thirty-four studies); Eller, *Informed Consent Civil Actions for Post-Abortion Psychological Trauma*, 71 Notre Dame L. Rev. 639, 639-40 & nn. 2-25 (1996) (listing risk factors and supporting authorities). Adolescence or emotional immaturity is one such factor. *Reardon, supra*, at 109 (listing fifteen authorities). *Accord* Eller, *supra*, at 641 & n.23.

The testimony of actual women starkly illustrates this adverse consequence.

Tammy D. describes her experience, starting with the evening of the day she had her first abortion.

> I went home and pretended as if life was normal and I hadn't just terminated a life. That evening though, the cries of a baby, my baby would not let me sleep. The tormented screams that rang through my head over the next couple of weeks were too much to bear and I started drowning them in alcohol and drugs. Anything I could get my hands on in order to quiet the pain that echoed in my heart, my mind and my soul. A reckless endangerment of my own life ensued and I found myself in one promiscuous situation after another. I quit going to school and worked and partied full time instead. I couldn't bear the thought that everyone at my high school must know of what I had done. After numerous sexual encounters some that were not only unwelcome, but also violating, left their marks on my being to a point that my worth had nose-dived below zero. . . . [Pregnant again but in an "incredibly dysfunctional" relationship,] I was so depressed that the only thoughts that kept me from taking my own life were those of the new life growing inside of me. . . . [M]y nagging feelings of little value and no worth were due to the fact that I had taken the precious life of my own child and I didn't know that my not feeling "good enough" to be alive was directly due to my abruptly stopping the life of my first child. . . . I believe that even though I loved this life inside of me, I still hated the shell in which he was growing to the point of still trying to block out the pain from the loss of my first child which I was directly to blame for.

Aff. p. 357 (Appx. 8a-9a).

T.R. also suffered lasting emotional trauma:

> [A]fter the abortion, I felt unworthy, Sad, Broken. For many years I was self destructive. No standards in my life -- drank, drugs, men e[tc.] . . . I never forgot . . . It still affects me 19 years later -- I'm crying right now. And I remember that day so clearly -- the date is stuck in my head forever.

Aff. p. 1089. *See also* Aff. pp. 46 ("I will always feel shame and guilt"), 62 (Appx. 3a) ("guilt and anxiety"), 131 (self-hatred, anger, guilt, shame, drug addiction, self-destructive behavior), 188 ("severe depression for months around the anniversary. Guilt, shame, self hate, marital sexual d[y]sfunction, dreams"), 349 ("I have been drinking Alcohol nearly everyday of my life Since the Abortions. . . . I feel so much Shame and I hate

myself"), 349 ("terrible anger, shame, grief, depression, and an inability to bond with my first living child"), 385 ("post abortion syndrome for 16 years . . . Became addicted to sleeping pills because of sleep deprivation. Experienced horrible nightmares of mutilated babies"), 418 ("I have been depressed to the point of total despair, substance abuse, promiscuous behavior in an attempt to 'replace' my children, self-destructive behavior, nightmares/flashbacks of abortions, uncontrollable anger, severe depression on the anniversaries of the abortions & expected due dates"), 466 ("Tons of guilt and crying," alcohol and drug abuse for eight years, shame and guilt for many years), 484 (self-destructive behavior, alcohol and drug abuse, self-hatred), 500 (depression, twice to the point of hospitalization, plus "very depressed" yearly around anniversary of aborted baby's due date), 551 (many years of guilt, sadness, longing for the aborted child), 673 (Appx. 17a) ("a long road of emotional pain," plus annual depression in month child would have been born), 772 (Appx. 23a-24a) (drug abuse, emotional wallbuilding), 901 ("pain and suffering," feeling "ashamed and dirty & lonely"; "There hasn't been a day since the abortion that I don't think about how I murdered a helpless child. Not just a child, my child"), 960 ("major depression for 4 years"), 993 (Appx. 36a) ("I hated myself, hated what I did & *wanted my baby back*!") (emphasis in original), 1022 ("years of guilt and shame"), 1137 ("I became a door mat after the abortion in all areas of my life"; "A Haunty guilt has been my dark cloud"; "die a little inside each day"), 1214 ("left me devastated," "unimaginable guilt, sorrow and horror [I] live with every day of [my] life," the "one thing in life" that she "will always regret doing"), 1219 ("guilt, regret, and sorrow have filled [m]y soul"), 1272 (drug and alcohol abuse, bulimia, major clinical depression, years of nightmares, guilt, regret).

Two women revealed that they had suffered sexual assault --

rape and incest. Both stated unequivocally that the trauma of abortion, for them, was even worse.

Emily F. explained:

> My 2d aborted child was a product of rape. I no longer struggle with the fact I was raped. I'm not depressed about it, I don't have nightmares. I will never "get over" losing my children to abortion.

Aff. p. 418. Christian O. adds:

> I grieved the loss/murder of my child so much that I would have preferred death. . . . It was psychologically more devastating than being molested and sexually abused by my biological father. The abortion will be with me for the rest of my life.
>
> . . . .
>
> Explain to me why I was legally able to murder my child but if I had killed my father who had molested me at seven years of age and then sexually abused me when I was 12 to about 16 -- almost 17, I would have been sentenced. My baby did nothing wrong; my dad did.

Aff. p. 992 (Appx. 32a-33a).

D. Physical Harm to Minors

Abortion takes a normal, healthy condition -- pregnancy -- and, by chemical or surgical means, disrupts that condition. Unsurprisingly, this disruption entails physical risks and harms to the mother. "The medical . . . consequences of an abortion are serious and can be lasting; this is particularly so when the patient is immature." *Ohio v. Akron Center*, 497 U.S. 519 (internal quotation marks and citation omitted). A growing body of medical literature documents these risks. *See* T. Strahan,

Detrimental Effects of Abortion: An Annotated Bibliography with Commentary (2001); *see also A List of Major Physical Sequelae Related to Abortion*, at www.abortionfacts.com/reardon/effect_of_abortion.asp (listing published medical sources). Thus, any allowance for "health" abortions brings a concomitantly increased risk of "health" complications.

Again, the testimony of actual women bolsters this concern. *See* Aff. pp. 61-62 (Appx. 3a-4a) (severe cramps, vomiting, hemorrhage, emergency hospital visit for incomplete abortion, sterility), 340 (kidney problems), 418 (physical pain, irregular periods, miscarriages), 419 (miscarriage of only subsequent pregnancy), 500 (physically painful), 772 (Appx. 22a) (during suction abortion, "I remember thinking that I was going to die. I had never felt such pain, nor have I since. I thought my entire insides were being sucked out"), 993 (Appx. 36a) (during suction abortion, "the most immense, intense pain I have ever felt"), 1022 (severe hemorrhaging and infection requiring trip to hospital).

Ironically, if the physical consequences of the abortion are sufficiently severe, the parents will find out about the secret abortion anyway when they are called upon to consent to further treatment of their daughter. *E.g.*, Aff. pp. 61 (Appx. 3a) ("I had to tell them everything on the way to the hospital"), 1022 ("My mother was contacted, told what happened and asked to come sign the consent papers").

Even if the minor goes ahead with the abortion, the involvement of her parents has a health benefit. Minors

> are less likely than adults to know or be able to recognize ethical, qualified physicians, or to have the means to engage such professionals. Many minors who bypass their parents probably will resort to an abortion clinic, without being able to distinguish the competent and ethical from those that are incompetent or unethical.

Bellotti v. Baird, 443 U.S. at 641 (plurality).

E. State Endorsement of, and Complicity in, a Minor's Deception of Her Parents and Others

Official allowance of secret abortions by minors teaches such minors that it is permissible to lie to their parents, even regarding serious matters. The corrosive effect on both the parent-child relationship and the minor's personal character is obvious:

Tiffany P. recounted that, after her secret abortion,

> I went on as if nothing had happened to me. I held everything inside. No one important in my life could know what I had done. It was to be a secret forever, to death. The walls began to build up inside. It was the only way to keep my abortion a secret, to build walls. *This was the first serious lie I had ever told my parents*. We drifted apart inside my heart but the facade never changed. They never suspected a thing. I would never let them. The more emotion I felt inside the more walls that went up to deal with them. Soon I wasn't feeling much of anything; the walls were now not just emotional. I began to party quite a bit. I did some drugs, and tried many others. I drank every weekend and the lies about my lifestyle began to build walls upon walls upon walls, until I couldn't see over them anymore. I had lost myself.

Aff. p. 772 (Appx. 23a-24a) (emphasis added).

Perhaps not surprisingly, once a teenager receives official permission to lie, the teenager may lie to government agents as well -- including judges -- in order to manipulate the bypass system. As Tammy D. relates:

> I went before a judge to request my being able to have an abortion without telling my parents. My advocate at the time coached me as to what to say in order to build compelling

> evidence that the involvement of my parents would cause them to throw me out of the house. That was not true at all, they would not have done that. The judge sided with me though and agreed it was indeed in my best interest to have the abortion and not tell them anything about it.

Aff. p. 357 (Appx. 7a-8a).

F. Cover for Sexual Predators

Pregnancy reveals that the teenager has engaged in sexual intercourse. Abortion may conceal that fact. And if the male party is a sexual predator, abortion becomes a handy means of destroying the evidence and prolonging the predator's window of opportunity. *See, e.g.*, Aff. pp. 61 (Appx. 2a) (16-year-old impregnated by 23-year-old boyfriend), 131 (14-year-old impregnated by 20-year-old boyfriend), 901 (17-year-old impregnated by her 40-year-old boss).

* * *

As illustrated above, there are many very serious downsides to the allowance of secret abortions for minors. A state may justifiably take these downsides into account, and decline to add yet another broad exception -- "health" -- to a parental involvement law that is already too easily circumvented.

CONCLUSION

This Court should reverse the judgment of the First Circuit.

Respectfully submitted,

Jay Alan Sekulow
Counsel of Record
Thomas P. Monaghan
Stuart J. Roth
Walter M. Weber
American Center for Law and Justice
201 Maryland Ave., N.E.
Washington, DC 20002
(202) 546-8890

Attorneys for Amicus

August 8, 2005

APPENDIX:

Selected sworn affidavits of women who had
secret abortions as minors (printed form headings
and footers and some formal elements omitted)

Source: "Affidavits of Post-Abortive Women
Filed in the Roe v. Wade and Doe v. Bolton Cases,"
submitted for record of hearing in "The Consequences
of Roe v. Wade and Doe v. Bolton," Senate Judiciary
Committee, Subcommittee on the Constitution, Civil Rights
and Property Rights of the Senate Committee on the Judiciary
(hearing held on June 23, 2005)

[61]

AFFIDAVIT

THE STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

Before me, the undersigned authority, on this day personally appeared Lorraine C. Baker, who, being by me duly sworn, upon oath, stated the following facts:

My name is Lorraine C. Baker. [address redacted] I am over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solem[n]ly swear, or affirm, that the following facts are true:

1. When I was 16 years old, in 1976, I became pregnant by my boyfriend who was 23. I was afraid to tell anyone because I did not want to get him in trouble and because I feared what my parents would do if they found out.

2. I went to the clinic located next to my school. They confirmed I was three months pregnant. They asked when I wanted my abortion and stated that I should have it right away. They said "no one has to know about this, just fill out this paperwork and everything will be taken care of at no cost." That's all they told me. They did not offer counseling. They did not tell me about potential complications, physical or mental. They did not discuss adoption or any alternatives with me. I felt I did not even have to make a decision, it was all made for me. I did what they said, filled out the paperwork and was told when and where to go for the abortion.

3. When I went in for the abortion, the doctor talked down to me and said terrible things to me about me as a person. He did not counsel me not have the abortion. He did not counsel me about any possible side affects. After the abortion, I was left all alone, crying in pain with severe cramps and vomiting in a room for what seemed like several hours, although I honestly don't know how long I was there. A nurse came in and told me to be quiet and then left. I felt terrible, the pain was terrible.

4. A couple of weeks after the abortion, I started having severe cramps and a lot of blood came out of me. My parents rushed me to emergency, (I had to tell them everything on the way of course) where I found that I was miscarrying the dead fetus [62] that had been left inside of me and that I needed an emergency D&C. I have since been told I was probably pregnant with twins and the abortionist only took one of them out, leaving the other to rot for two weeks inside of me.

5. Again, I was left alone in a room cramping and bleeding and crying while I awaited my emergency D&C. This was a terrible experience for me and I would not wish my worst enemy to go through anything like it. Of course, it was also hard on my parents and I have since learned that fetuses can feel the pain. This has left me with much guilt and anxiety for which I have had to have counseling that needless to say was not free.

6. As time passed, I would reflect on how old my child/children would be, I would imagine watching them play and celebrate birthdays and the like.

7. I coped okay, until I married at age 30 and after several

years of trying to conceive I discovered that because of the trauma my body experienced when I was 16, I was sterile. We would only be able to have kids if we adopted them. This sent me into a deep depression. My husband will never know his own children because of a decision I made when I was too young to be making the decision on my own. He had done nothing wrong but now had to bear the consequence of my abortion. If I had known sterility was even a remote possibility, I would have seriously reconsidered my decision to abort the pregnancy.

8. I strongly believe that women, and especially teens, have the right to learn everything they can about what an abortion is, what it does to the fetus, and what emotional problems will arise in the future. They should be allowed and encouraged to learn as much as possible, to see pictures of their developing baby, to get counseling before they make any decision.

9. Adoption is a wonderful option for an unwanted pregnancy. The state makes money, the child gets to live, and the adoptive parents have to go through a pretty rigorous process to prove they are competent to raise the child, and the birth mother gets to choose what kind of contact she wants as the child grows up. If the mother wants to abort the baby, it costs the state money, the child dies and there is not much in the way of quality counseling available to the mother. We need to start recognizing the alternatives to abortion as valid and even preferable. We need to recognize the amount of hurt that is out there for the women who chose abortion. We need to realistically look at how much pain abortion really is causing people, women and men.

[63]

10. I am sharing my story with you because no one shared

theirs with me. It is important for everyone to hear these stories. I am certain there are many thousands more of them just like this one.

11. Women who choose to carry their child to term have many more choices than those who choose abortion. They will have the choice of raising your baby themselves, with a strong support groups to help, or the choice of allowing him or her to be adopted with much, some, little or no future contact, again, their own choice. These are all choices that give the baby a chance to live a good life, while not putting women at risk for the complications of abortion; as in my case of never being able to have a child, which now increases my risk for breast and ovarian cancers. With abortion, there is nothing, only the death of a baby and the possibility that there will never be another one for her.

12. If I had have given my babies up for adoption, even though I would not have raised them myself, I would have watched them graduate from high school and start college. I would have been at the weddings and I would be able to share in the joy of their own children. Instead, there is nothing there, just a pair of twins who died 25 years ago before they had a chance to be born.

I have read the above and foregoing statement and same is true and correct.

SIGNED this 13th day of May, 2001.

Please use my:

☒ full name. /s/ Lorraine C. Baker/Lorraine C. Baker
My signature evidences my authorization

☐ initials only. to use this affidavit for all purposes.

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 16th day of May, 2001.

/s/ Gurdial Singh Gill
Notary Public

[356]

AFFIDAVIT

THE STATE OF Minnesota §
§
COUNTY OF Anoka §

Before me, the undersigned authority, on this day personally appeared Tammy Dempsey, (Print Name) who, being by me duly sworn, upon oath, stated the following facts:

My name is Tammy Dempsey (Print Name). My address is [redacted]. [I am] over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solemnly swear, or affirm, that the following facts are true: See Attached

[357]

My name is Tammy Dempsey and I am 31 years old. My story begins over half of my life ago and has yet to find a completed end. In October of 1986, I was sixteen years old and pregnant. Being in an obviously undesirable situation, I was afraid and confused. A friend influenced me to have an abortion, deeming it to be the only way out of a horrible predicament. Being underage and not wanting to share with my parents my situation, I was led through the process of emancipation into being able to make an adult decision. I went before a judge to request my being able to have an abortion without telling my parents. My advocate at the time coached me as to what to say in order to build compelling evidence that the involvement of my parents would cause them to throw me out of the house.

That was not true at all, they would not have done that. The judge sided with me though and agreed it was indeed in my best interest to have the abortion and not tell them anything about it. I went to the clinic, Meadowbrook in St. Louis Park, MN and the procedure took place. I was completely emotionally numb during the entire process. Matter of fact, it appeared that I was so in control and unaffected that when they (the administrative staff) insisted that I stay for a couple of hours and drink juice in order to insure that my blood lost didn't cause a fainting spell, I balked at the idea and resisted their suggestion. They didn't let me leave without first monitoring my blood pressure and heart beat in order to make sure I was "healthy" enough to go. I went home and pretended as if life was normal and I hadn't just terminated a life. That evening though, the cries of a baby, my baby would not let me sleep. The tormented screams that rang through my head over the next couple of weeks were too much to bear and I started drowning them in alcohol and drugs. Anything I could get my hands on in order to quiet the pain that echoed in my heart, my mind and my soul. A reckless endangerment of my own life ensued and I found myself in one promiscuous situation after another. I quit going to school and worked and partied full time instead. I couldn't bear the thought that everyone at my high school must know of what I had done. After numerous sexual encounters some that were not only unwelcome, but also violating, left their marks on my being to a point that my worth had nose-dived below zero. I met someone that paid enough attention to me most of the time and I was just 17, almost exactly but not quite a year after the abortion. We spent all of our time together and as a result I was pregnant again. Happy this time and excited about the future of a family we started planning the rest of our life together. This relationship though, was incredibly dysfunctional at best. The core elements of

needs being met were enough to keep us together despite the persistent chemical abuse that never seemed to go far enough away. In my sixth month of pregnancy, I was so depressed that the only thoughts that kept me from taking my own life were those of the new life growing inside of me. I had made a commitment and I was responsible for this baby growing inside of me, I felt obligated to stay alive for that reason alone. At the time, I didn't put it together, I didn't realize that my nagging feelings of little value and no worth were due to the fact that I had taken the precious life of my own child and I didn't know that my not feeling "good enough" to be alive was directly due to my abruptly stopping the life of my first child. My baby boy was born healthy and without complications even though I feared the worst due to my intermittent using throughout the pregnancy. This is difficult to admit, although important to reveal because I believe that even though I loved this life inside of me, I still hated the shell in which he was growing to the point of still trying to block out the pain from the loss of my first child which I was directly to blame for. I went in the other direction of extremes after he **[358]** was born and stopped eating and started working out obsessively to the point of passing out in the shower one day. I was not healthy internally, even though I had been clean and sober for months out of the fear of causing harm to my child. Things grew worse again at home and my boyfriend, my baby's father, ended up in jail just six short months after he was born. I was pregnant again and alone with an infant that was 100% my responsibility. I couldn't bear the thought of bringing another child into what seemed to be a fatherless world. I didn't seek counsel of friends or family. I was heavily into healthy alternatives and I searched high and low for a "natural out" to my horrifying situation. Nothing worked. I was still pregnant and alone and 18 years old with a baby and no sense of a secure future. I

made the decision to have an abortion against the request of the father who wanted to have our baby. It was simple and easy enough to make the appointment. As long as I had the cash, I could be rid of my problem and no questions asked this time by a judge or anyone else. It was my business and that is exactly what it turned into when the exchange of money for service took place. Little did I know that this experience would damage my soul and spirit as severely if not more than the first time. I still don't recall the procedure. I do recall though afterwards the emotional pain that came from making that decision. Once again I found myself overwhelmed by the realization that I was a murderer. I never really let it sink in, as soon as I felt even the closest sliver of pain, I was off and running to any kind of medication I could get my hands on in order to not feel anything at all. I succeeded in the pushing down of my emotional pain the point of it becoming seemingly non existent. On the outside, I was a knock out. In shape, beautifully put together and quite the personality. On the inside, I was a disaster waiting to happen. I didn't realize then that the effort it was taking to keep all of this at bay was actually demolishing my physical and spiritual being. I went on with life as I knew it and started going to school for court reporting, all went well for the most part, I was excelling amongst and over my peers with little effort on my part. The nagging incompleteness was easily rendered as a by product of my unhealthy relationship. We bought a house and shortly afterwards I was pregnant again. I so did not want to have a baby right then. I wanted to finish school and begin a career that I was really not suited for, but I wanted to finish anyway. I secretly hoped and prayed for a natural termination, even though I had not made a conscious connection to the previous pain of my earlier decisions, I just knew that I could not have another abortion. I was blessed with a baby girl. After her

birth, it was obvious that I would have to begin working full time in order to support our family due to the children's father not taking on his family obligations. I couldn't connect with this child. I was unable to get close to her in the sense of welcoming a new life into my world. It could easily be said that I resented having to care for a new life when my own was on it's way to becoming something of worth and validation. We struggled and I started to have complications physically with my reproductive system afterwards. I went in for ultrasounds, and the physicians found tumors on my ovaries, cysts. They didn't think that surgery was necessary, the pain though was excruciating and it would wake me up in the middle of the night. It felt as though a metal baseball bat had found it's way to shatter my pelvic region with such an impact that left me debilitated. I couldn't stand the obsessive preoccupation with another pregnancy anymore. I knew that I was obviously fertile and even though our relationship was incredibly rocky, the threat of another pregnancy was more than I could bear. I knew I didn't want to have any more children with this man and I also knew that if I ended up pregnant again I would be faced with yet **[359]** another horrifying decision to be made and I couldn't even fathom the thought of another abortion even though I was not connecting any pain to the previous ones at that time. I decided to shut down my reproductive system at the ripe old age of 21 years old. I realize now that in a desperate attempt to protect myself, I was also punishing myself for the past that still had it's grip on me. I was not in my eyes worthy to be a parent and even though to others, I was the model of a mother, I didn't feel that way inside. I felt that I had children on a loan and even though I loved them dearly, I still had this nagging feeling that they didn't belong to be because I didn't deserve them and therefore I couldn't allow myself to get too attached out of the fear that

they would be taken from me at anytime because I really shouldn't have them to begin with. There are numerous chapters that could be written in between the time that it took in order for me to realize that my horribly dysfunctional way of living was not what the rest of the world had encountered. After many years of abuse and tormented living with my children's father, I went from one relationship to another sheerly to validate my being worthy of another's affections. When I finally found my way into the real world of people that existed on their talents and education I realized that I had been gifted with several talents that can make a difference in our world. Those gifts though, as real as they are were not enough for me to believe in myself because I still suffered from an incredibly low self esteem and self image. The one that is offered up after numerous conversations with oneself speaking negatively about who they are and why they don't deserve to be the recipient of a life gone good. Self sabotage continued to wreak havoc on my being and I couldn't get a grip on the fact that I was driving the vehicle of my life. I still told myself that I didn't deserve to be happy and I didn't deserve to have and receive love and because I had murdered two of my children I certainly didn't deserve to live. Presented with opportunities to excel I would start out at a pace far above or at the very least right in with others that had seemingly far better upbringings and education. Again though the inward knowing gnawed at me on a level that was undetectable to bring into focus as to what was really wrong. I went from one achievement and failure brought on by my own doings after another. I packed up my children and left this state that I thought for sure was my downfall. We moved and started over five times before leaving Minnesota for what I hoped was for good. We moved to the state of Washington and even though I was very ill upon arrival, nothing would stop me from moving forward to a life

that I could create upon my own clean blank canvass. The children's father was in Washington as well with his new girlfriend and I leaned on them for support and they did the same except tenfold it seemed. Then it happened. I had returned home after five months to visit my only real love and after coming back from that weekend, I unraveled at a rate faster than a ball of twine being chased by a playful kitten. It was as if the three legged table that I set everything on so intricately balanced started to feel the weight of the world that it was no longer able to carry alone. I was alone and I was far away from any support that could have kept me teetering. I nosedived and went into what I now know was the beginning of post traumatic stress disorder. I was not in my mind anymore. It was as if I was suspended into the nothingness of the world that surrounded me and I fell apart. Bit by bit. Piece by piece. Even though I new that I couldn't be pregnant, I went to the Dr. for a pregnancy test because I felt life moving within me. What was happening though, was the surfacing of the life that I had at once felt 12 years prior. It was absolutely amazing the physical manifestation that was going on inside of me. I went on line to find out how to **[360]** get my tubal ligation reversed, and what the chances were of my actually being pregnant even though I was unable to physically carry it out. I had three very close friends within a two week period of time tell me they were pregnant and only one chose to continue with the pregnancy. The other two I begged and pleaded with, telling them that I would do anything at all in order to help them and I would even pack up and come home and take care of their babies in order to save them from death. They declined. I was heartbroken and then, as soon as it was decided, I could feel the literal deaths of these babies as I lay on my couch groaning and crying in pain, even though I was thousands of miles away, the connection was so strong. I found

myself in the shower bawling and grieving for these babies that were not allowed to live. It was a part of the journey that I needed to go through in order to reconcile my losses. It took a long time to get to the point of actualization. More trips home, and more of my mind lost, I couldn't make a decision to stay or come home. Finally all of it came to an abrupt end and I found myself after returning from a weekend in Minnesota, at home in my apartment in Washington and trying to get focused on the neglected tasks that came from overwork and too much travel. There was a knock on my door and it was a neighbor that I didn't know but had seen and he took advantage of my ill state of mind, I was vulnerable and it showed. The sense of powerlessness that had been so natural to me by then was on it's way to becoming another violation at the hands of a predator. I was drugged and sexually assaulted by this man. It was the earthshattering pinnacle of what sent me into a hospital for sanity and recovery. I was definitely going home. Obviously there are some details that could be included, however I think if you look at this from a higher level of comprehension, it would be safe to say that I allowed myself out of a state of desperation to be at the hands of one or many that could and did wreak havoc on my life. A pattern that seemed to be congruent with the rest of my life due to my inability to stand up and strong in situations that seemed to be out of my control. I relate all of this directly to my abortions. Sure there are other dysfunctional symptoms that surmounted from my life experiences, however I know without a doubt that there is a deep connection to my lack of stability due to my twisted state of mind even though to many I came across as having it all together. I came home to a place that reminded me of everything that I had ever done wrong in my life and decided that I needed to do something with those emotions that I had the natural gift of expressing. I wanted to act. Once again I

was implanted with yet another seed of the hope of healing. I didn't know it at the time of course, however when I auditioned for a play that depicted a woman's remorse after the decision to have an abortion, once again I was at the mercy of my emotions that had controlled my life without them ever being exposed for what they truly were. I was blessed with the excruciating task of extracting each and every devastating effect that my decisions had caused and the task was extremely painful however I have been healed and I am so grateful for and to God and His neverending quest of reaching out to me and allowing me to come to terms of this life that involved 15 years of harboring self hate and destruction. There is so much more to my story and I would love to share it all with you for the distinct purpose of halting this disgusting alternative to life. **[361]**

I have read the above and foregoing statement and the same is true and correct.

SIGNED this 10 day of December, 2001.

Please use my
- ☒ full name.
- ☐ initials only.

/s/ Tammy Dempsey
My signature evidences my authorization to use this affidavit for all purposes.

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 10 day of December, 2001.

/s/ Dani Pelzl
Notary Public

[672]

(Province)
The State of Manitoba

County of Canada

BEFORE ME, the undersigned authority, on this day personally appeared Shawna Jamieson (Print Name), who, being by me duly sworn, upon oath, stated the following facts:

"I am over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solemnly swear, or affirm, that the following facts are true:

1) Tell approximately when and where your abortion occurred: May 1985. Abortion Clinic in Grand Forks, ND.
2) Were you adequately informed of the nature and consequences of abortion, what it is, what it does? No. It was very impersonal. The doctor asked for the money. Approx. $275.00 and then had me lie on a table and leave right after the procedure. I was only 16 years old.
3) Were you informed of any link between abortion and breast cancer? No Have you had breast cancer? ____
4) Did anyone pressure you into have an abortion? No If so, who? _____
5) How has your abortion affected you? It has damaged my soul in a way that can never be healed. I was a young scared girl who got pregnant at 16 years old. I

panic[k]ed and when I contacted a hospital in Canada I was told I needed parental consent. My parents were going through a separation and I didn't want to burden my Mom so I was given the name of an abortion clinic in Grand Forks, N.D. who would do the procedure, no questions asked. I just wanted it to be over and told myself it wasn't a baby. I just chose not to think **[673]** about what I was going to do. The whole procedure was absolutely demoralizing and very unprofessional. But it was over and I could start over. Clean slate. Wrong! That was only the beginning of a long road of emotional pain I still struggle with. My child would have been born in January and every January I experience a depression and relive the experience over again. It was 17 years ago and I am facing my deepest valley regarding my pain over my abortion only now. It's not over and It will never be over. The pain is real and the loss is real. If only I had known what I was doing. The hardest thing for me to live with is to know that I willingly killed my baby. And it's a baby. I had my abortion at about 8 1/2 weeks. I have now been blessed with 2 healthy children. My daughter's ultrasound was given when she was 7 weeks (due to complications) and there was a heartbeat as clear as day. That confirmed her life for me and the doctors. She is now an energetic toddler full of life. I had a baby, full of life at 8 1/2 weeks, but I chose to end it's life and that is something I will have to live with for the rest of my life.

[672 cont'd]

6) How has your abortion affected others in your life? My mother just cried when I told her what I had done. She said if only we could have talked about it. Maybe things would have been different.

7) Based on your own experiences, what would you tell a woman considering an abortion? Having an abortion is not the easy way out. You can run but you can't hide. Maybe for a while, but not forever. The pain and the reality of what you did will come find you maybe 10 or 20 years later but it will come and when it does look out. Don't do it to yourself or your baby. You are worth more than that and you are loved.

8) Based on your own experience, what would you tell a court that believes abortion should be legal? It's easy to think that we are not really killing babies. I know. I felt the same way. But no one will ever convince me that the beating heartbeat of a 7 week old embryo is not a baby. I seen it. I felt it and I watched it grow. Medical technology helps us sustain life all the time and we are given medicines to help us live. A embryo is given a mother's womb **[673]** to help it live until it is strong enough to live on its own. How can we decide that one is ok and the other is not. Life is life, no matter how frail & weak it is. And what about the mother. How is it in the mother's best interests to suffer as I have suffered these past 17 years. It was (Abortion) to[o] available to a naive 16 year old girl who was never allowed to make an informed decision because of a legalized abortion clinic.

[672 cont'd]

"I have read the above and foregoing statement and the same is true and correct."

☒ I want to tell my story.
I understand that someone will contact me.

☐ Do not contact me.
☒ You may use my full name.
☐ Please use only my initials.

/s/ Shawna Jamieson
My signature evidences my authorization to use this affidavit for all purposes.

Print Your Full Name [redacted]
Address, City, & Zip

BELOW PORTION TO BE COMPLETED BY NOTARY:
SUBSCRIBED AND SWORN TO before me, the undersigned authority, this the 14th day of January, 2003.

NOTARY PUBLIC /s/ Dennis Alfred Smith

[771]

AFFIDAVIT

The State of Texas

County of Bexar

BEFORE ME, the undersigned authority, on this day personally appeared TIFFANY ANN KRUSE PIERCE, who, after being by me duly sworn, upon oath, stated the following facts:

"My name is TIFFANY ANN KRUSE PIERCE. I am over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solemnly swear, or affirm, that the following facts are true:

I was seventeen in January of 1989 and three weeks away from my eighteenth birthday at the time of my first abortion. I can say without a shadow of a doubt that if parental consent had been mandated by law back then, I would have been unable to abort my child. I went to a clinic on San Pedro Avenue in San Antonio, Texas. My doctor's name was Santoscoy. I got his name from another girl my age that had also had an abortion.

When I first realized that I was pregnant, I was very afraid. I first confided this information with my boyfriend. We made a pact at that time that we would not share this knowledge with anyone, especially our parents, until we had made a decision about what we were going to do -- together. I kept my end of the bargain but he ran home and told his parents. Not wanting

themselves or their child to be responsible for my child or me, they counseled him on how to persuade me to have an abortion. He did so very convincingly. I was asked to think about all that was before me in my life, graduation, college, career and all that I had to lose by having a child. And of course, there were my parents to think about. How would they deal with a single pregnant daughter? I would be letting them down dashing all of the dreams and aspirations that they held for my life. What about him, what did I expect from him and out of him? Did I really believe we were ready to be parents? Did I really want to give up all the experiences and fun that lied ahead? I guessed not.

I made an appointment on a weekday, Friday, I remember. I had a friend's mother write me an excuse note. I told her that I had another friend that needed to have an abortion and that she needed someone to go with her. She wrote me the note. My boyfriend was also going to skip school and take me to my appointment. We were going through this together after all, just he and I. He never showed, so I drove myself to the clinic. I parked my car, went inside, filled out the paperwork and waited to take my pregnancy test.

I recall thinking about not going through with it at this point. I was alone. I was scared. But, I didn't want to let anyone down. They called my name and handed me a cup into which I was to urinate. I had already taken a home pregnancy test, so I was certain of what the results would be. I went into the bathroom, past many other girls, and did as I was told. I remembering thinking to myself in the bathroom that there were no "women" in the clinic beyond the nurses and the receptionist, just girls. Soon, the nurse was telling me that my test was indeed positive (no big surprise) and that I needed to

follow her back to the counselor.

I was sat in front of a table that was already laid out with the materials they were about to present to me. The counselor asked if I understood that I was pregnant. Yes, I said. Than she asked if I understood that I was here seeking an abortion. Yes, I said. Then she began to explain to me that **[772]** although I was approximately 12 weeks pregnant that what was inside of me was nothing more that a small glob of flesh no larger in diameter than a half dollar coin. It was not alive yet, had no heartbeat or extremities. It was just a glob of flesh. She went on to describe the procedure as not much more than a DNC. She told me that I might feel some discomfort, but not much pain. I would be given a local anesthetic and that should more than ease any pain I might feel. She then showed me to the dressing room and handed me a hospital gown, explaining that the nurse would be back for me in a moment.

The rooms in the clinic were so cold. I remember shivering while I sat there waiting for the nurse. Before long, she came and got me and took me to the room where the doctor would perform the procedure. She put my legs up in stirrups and we both waited another minute or so for the doctor. When he arrived, he said nothing to me as he prepared. Finally, he broke the silence to say that I might feel a pinch and a slight sting as he administered the local. I was given the local and then he began the process. Not long into it, he turned on the pump. I did not know what it was at the time. He inserted a hose, I suppose, inside of me and began the pumping action. As I laid there, half-naked, feet in stirrups, with no one to hold my hand or ease my mind, I remember thinking that I was going to die. I had never felt such pain, nor have I since. I thought my entire insides were being sucked out. The counselor had left this

information out of her description of the procedure. I just knew I was going to die. God was going to kill me as I lied there. That was my punishment for being this stupid. When is it going to be over? When is he going to stop? I'm dying here and he doesn't even care. These were the things running through my mind as I turned my head and to my horror saw the pumping device, filled with the blood and parts of my baby. What had I done? I guess the nurse saw the pain in my face. She was kind enough to take my hand and tell me that it was almost over. There was sadness in her eyes, too.

Afterwards, they took me to an area filled with cots and I was able to "rest" until I was able to leave. They gave me juice and a cookie, I guess to level off my blood sugar and left me there, saying nothing to me from that point on. I was cramping and bleeding profusely, something else the counselor had left out about the procedure. I was given no pain medication of any sort. I stayed maybe fifteen minutes and then got up and drove myself to a friend's house. School was out for the day, so she was home. Knowing what I had been through that day, she took me to another friend's house where for the second time in my life I got stoned (on marijuana). It temporarily relieved the physical pain. Soon, my boyfriend came and picked me up.

I stayed at my boyfriend's house that night. His parents were out of town for the weekend, so I should have been able to get some rest and sleep. It was just supposed to be the two of us. Instead, he threw a party while I lay bleeding to death (I thought) on his parent's bed. It was a rough night. I was in a house full of people, but I spent the night alone.

Saturday morning, I got up, cleaned up and went home. From that point on, I went on as if nothing had happened to me.

I held everything inside. No one important in my life could know what I had done. It was to be secret forever, to death. The walls began to build up inside. It was the only way to keep my abortion a secret, to build walls. This was the first serious lie I had ever told to my parents. We drifted apart inside my heart but the facade never changed. They never suspected a thing. I would never let them. The more emotion I felt inside the more walls that went up to deal with them. Soon I wasn't feeling much of anything; the walls were now not just emotional. I began to party quite a bit. I did some drugs, and tried many others. I drank every weekend and the lies about my lifestyle began to build walls upon walls upon walls, until I couldn't see over them anymore. I had lost myself.

Later that year, my sister came to me. She believed she was pregnant and said she needed an abortion. I thought it was her boyfriend's but she had been gang raped. She didn't tell me that until many years later. I told her where to go but she wanted me to go with her. I did. While at the clinic, a mother of another sister's friend saw me. She told her daughter, who in turn told my sister. It did not take long **[773]** for her to confront me. Not wanting to divulge the true nature of my visit, I let her think she was right. For quite a while, she used that information against me every time she wanted to borrow my clothes or my car or my money.

Time went by and I was off to college. Not wanting to go through another abortion, I had gotten on the pill with the knowledge of my parents. The winters in Lubbock are cold and like most everyone else there I got sick with what I though was just a normal cold. It turned out to be strep throat. I went to the college clinic and they put me on antibiotics. No one explained to me that antibiotics lessen the effectiveness of the

pill. I got pregnant again. It was the same time of year as the last. I went to the same place, not knowing where else to go. This time I told no one until the deed was done. I took care of my "problem" over the Christmas/New Year break. The second abortion did not emotionally traumatize me like the first. The walls I had built were certainly doing their job.

Both of my pregnancies were from the same man, my boyfriend. After the first pregnancy, our relationship changed quite a bit. He had lost respect for me. He began cheating on me and treating me badly. He also began drinking heavily on a more regular basis. Looking back, I believe it was the beginning of his spiral downwards toward alcoholism. He has been sober now for about six years.

Well, it is 1991 now. I moved to Colorado to get away from the destructive relationship I was in with my boyfriend. He followed me there. It was very easy to fall back into old patterns with him. They were familiar and my self-esteem and self-worth issues wouldn't allow me much better. In April of that year I moved home to get away from him. Yet again, he came back to visit once. We slept together and bingo, I was pregnant once again. This time I made a different decision. I was going to have the baby. Out of respect for his role in the conception, I called to let my boyfriend know that I was pregnant, again and this time I was having he or she and "NO!" he did not have a say in what I was about to do with my body. He accepted the news rather well, I thought and said he was going to come home to be with me, soon. He did not come soon.

I told my mother I that I thought I was pregnant in the food court of our local mall. She took me in her arms and loved me

as only a mother could with forgiveness already in her eyes. We went to the closest pharmacy to get a test, so that we could make sure. Once we were home, I felt the need to purge as we waited for the results. I told here everything, each and every bit. I broke those walls that had been building inside of me for so long down, one by one that afternoon, until there was nothing left. We cried together and she held me tight as I revealed to her a side of her daughter that she had never known existed. When I was finished confessing, we went into the bathroom to check the results. I knew before I even took one step into that room that the test was positive. Having been pregnant twice before, I knew the feeling of being pregnant quite well.

We decided to make me a doctor's appointment to confirm our findings. The appointment was three days away. We would wait to tell my father and sisters until after the appointment. I made it one day. Without all those walls built up inside my emotions were no longer in check. The guilt of not sharing this possibility with my father was overwhelming. I called him at his office and asked if I could come in with my little sister and my mother. We drove to the office, sat down around his conference table and I looked at him with tears in my eyes and said, "Daddy, I'm pregnant". He just smiled at me and exclaimed, "Thank God, we get to go to Disneyland!" He got our pastor on the phone and we all prayed together. My pastor told me every birth, every single one, was a miracle of God and worthy of thankfulness and love. My love for those two men grew abundantly that day.

During the beginning of my prenatal care, I found out that I had type A negative blood. The abortion clinic never tested me and I could have very well bled to death without being given a

shot after each of my abortions. It was only by the grace of God that nothing ever happened to me. It was during **[774]** this time period that I saw what a fetus actually looks like at twelve weeks. The picture was quite different of the one shown to me at the clinic. In fact, a baby at the gestation age of twelve weeks has a brain complete with brainwaves, a heartbeat, appendages, fingers, toes and light/dark sensitive functioning eyes. To say the least, this information was quit[e] shocking to me since I had been told that this lump of flesh in no way was qualified to be called human life.

It wasn't long until the news of my pregnancy met my boyfriend's parents. Once again they took what was in their opinion a proactive role on behalf of their son. In a hotel room in South Bend, Indiana, my boyfriend's (who was an ex by this time) father tracked my father and I down. He and my father were having a heated telephone discussion when suddenly my father handed me the phone telling me that he wanted to speak with me now. When I said hello, he began to explain to me that if I did not agree to, at the very least, give this baby up for adoption or preferably have another abortion that he was going to tell my father everything about my life. I had already told my dad about my old lifestyle but my Mother and I had decided against telling him about the abortions. I put the phone down and covered the mouthpiece with my hand and told my father the rest of my story. He began to weep and blame himself for my bad decisions. He took the phone out of my hands and told my ex-boyfriend's father that under no circumstances were we going to abort or give this baby away. So, he told on me. At which time my father said to him, "I already know all the facts and that doesn't affect our decision in the least". My father went on to say that we wanted nothing from anyone in their family and that I, with my family's help, would raise this baby

on my own. The ex-boyfriend's father then began to insist on marriage. This, too, my father denied him. I was very blessed to have such a forgiving and loving and merciful father.

When I was about seven months along, the ex-boyfriend came back. I was already a different person by then. I lost most of my "friends" when I decided to have my baby. I was also quite reckoned with the fact that I was about to become a single mother. And most importantly, I had given my life to Jesus Christ, my Lord and Savior. I was no longer the weak-minded, drug-induced, no self-esteem girl that I had once been. I was confident and strong. This did not abide well with him since he was still knee deep in the party life style.

From the beginning, things were rough and by the time our child was eighteen months, he had enough and so had I. He left and went back to Boston, Massachusetts (which is where he was originally from) to live with his mother. His parents are divorced. His father and stepmother lived in San Antonio at the time and his mother in a suburb of Boston. He was now a raging alcoholic in the very essence of the meaning of the word. More than once, he tried to drink himself to death.

About this time, I began to feel very depressed. I had a lot of guilt concerning my abortions, as well as shame. I became suicidal. The only reason I did not kill myself was my child. As God always does, He got me through. Time went by quickly, as it tends to when you become a parent. My child was soon turning three. One day while driving home from work and preschool, she turned to me and said with authority and wisdom, "Mommy do you remember those first two times you didn't have me. Jesus and I cried for you in Heaven and we just want you to know how happy we are that we are a

family. We love you and forgive you." Watching her say this to me with my mouth gaping open, I then asked her, "What did you say"? She then replied, "You know what I said and what I mean. We forgive you and we love you." God spoke through my child to me to not only tell me that I was forgiven and that He loved me but also that this child was truly intended for me.

Not long before this, my ex-boyfriend had hit rock bottom and joined AA. Through AA, he, too, found Jesus. He called my father and they said the sinner's prayer together. From that point forward, he began to call our child at least once a week. He also began to badger me about giving him a second chance. One year later, I did. Today we are married and a complete family. **[775]**

Just before our wedding, God completely healed me of my post-abortion emotions. He also has used to me to reach other women with His message of complete forgiveness and mercy and, of course, grace. I have had the chance to counsel women dealing with their post-abortion emotions. In most cases (excluding some rape victims), these women all wish they could have the chance to make the decision over again. The pain and shame of abortion changes a woman like nothing else could. It makes her weak and it makes her hate herself in the end. Time does not heal the wounds of an abortion. It makes them worse. The only healing that I have found true for such despair is God. He too, lost his Son and understands the loss that these women feel once they have time to reflect upon what they have done and the price they paid for temporary freedom. Abortion creates an emotional prison for those that have experienced it, firsthand.

Without God, I shudder to think of where I might be today.

He has made me whole again. I no longer feel shame or guilt but I do still feel remorse. If I could go back and do it all over again, I would have had my child, the first time. If I could go out everyday and counsel women who were about to make the same mistake that I made, I would tell them of not only the physical pain that they will truly endure, but also the emotional pain, for it lasts much longer. I feel deep empathy for the women who have chosen abortion and live with the horrifying emotions that go hand in hand with that decision, who never find their loving Father in Heaven. I've lived with the regret and the shame. I've lived each day figuring the age of my dead children and imagining their faces, bodies, hair color, eye color and their personalities. It's only been the grace of God that's allowed me to live free of such things.

I was a Christian, raised in a Christian home by good, loving parents. I was a straight A student. I was a well adjusted teenage who was responsible and very rarely lied especially to my parents. I was a leader among my friends and to my sisters. I was someone who did not do drugs or ever drink in excess. I was a good person who always followed the rules until I had an abortion."

"I have read the above and foregoing statement and the same is true and correct."

SIGNED this the 13th day of September, 2000.

/s/ Tiffany Ann Kruse Pierce
TIFFANY ANN KRUSE PIERCE
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, this the

13th day of September, 2000.

/s/ Enriqueta Aguilar
NOTARY PUBLIC In and for
TEXAS

[992]

The State of Nevada

County of Clark

BEFORE ME, the undersigned authority, on this day personally appeared Christian M. Ongley (Print Name), who, being by me duly sworn, upon oath, stated the following facts:

"I am over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solemnly swear, or affirm, that the following facts are true:

1) Tell approximately when and where your abortion occurred: May 1993 Newport DE
2) Were you adequately informed of the nature and consequences of abortion, what it is, what it does? NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO!
3) Were you informed of any link between abortion and breast cancer? NO Have you had breast cancer? NO
4) Did anyone pressure you into have an abortion? Indirectly If so, who? My parents told me if I ever got pregnant they would kick me out of the house and my boyfriend expected me to have it done. My boyfriend wasn't there; his friend took me.
5) How has your abortion affected you? I grieved the loss/murder of my child so much that I would have preferred death. I wanted my baby back so desperately that I purposefully got myself pregnant and had twins

(March 19, 1995). One boy & one girl. It was psychologically more devastating than being molested and sexually abused by my biological father. The abortion will be with me for the rest of my life. I have already begun ingraining in my children that sex is for marriage and marriage alone. I always fear that I won't be able to have more children.

6) How has your abortion affected others in your life? My husband -- not my twin's biological father -- wonders the same. The father of my dead baby is haunted by her (the babies) death. He said he wishes I would have walked out. He said it was his biggest regret.
7) Based on your own experiences, what would you tell a woman considering an abortion? Even if it's rape -- give the baby up for adoption. If it's incest pray about it.
8) Based on your own experience, what would you tell a court that believes abortion should be legal? Explain to me why I was legally able to murder my child but if I had killed my father who had molested me at seven yrs of age and then sexually abused me when I was 12 to about 16 -- almost 17, I would have been sentenced. My baby did nothing wrong; my dad did.

"I have read the above and foregoing statement and the same is true and correct."

Yes! ☒ I want to tell my story. I understand that someone will contact me.

☐ Do not contact me.

☒ You may use my full name.

☐ Please use only my initials.

/s/ Christian Ongley

My signature evidences my authorization to use this affidavit for all purposes.

Print Your Full Name [redacted]
Address, City, & Zip

BELOW PORTION TO BE COMPLETED BY NOTARY:
SUBSCRIBED AND SWORN TO before me, the undersigned authority, this the 31 day of JAN, 2003.

NOTARY PUBLIC /s/ Lillian R. Wouters

[993]

The State of Nevada §
§
County of Clark §

Before me, the undersigned authority, on this day personally appeared Christian Marie Ongley (Print Name), who, being by me duly sworn, upon oath, stated the following facts:

My name is Christian Marie Ongley (Print Name). My address is [redacted]. I am over the age of eighteen years, and I am of sound mind and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and I do solemnly swear, or affirm, that the following facts are true:

I grew up in a dysfunctional family. My dad sexually abused me for a fairly long time. Not until I realized he was hurting my sister in the same way did I decide to tell on him. However, it had stopped by the time I was 17; probably because I had a boyfriend with whom my parents found out I was having sex. Both my parents told me if I got pregnant they would kick me

out. Like most young kids I didn't think I would get pregnant so I didn't think I had a reason to worry about being kicked out. One evening I forced my boyfriend to talk to me about it. The issue had to be pressed; he didn't want to talk about the possibility that it could happen. In a matter of seconds, we both agreed that an abortion was the course of action we would take. Little did I know. . . .

On morning I woke up and felt nauseous as I rolled myself out of bed. I'm not sure how long it took me after this but my boyfriend bought me a pregnancy test, which left me unsure because the color was purple instead of pink as the directions said it would be. So I went back and purchased another one. This time I knew it was positive. It's "funny" how everything changed for me emotionally. Suddenly, I didn't want an abortion; it didn't seem as flippant and unimportant as it was made out to be. But I had to get one. What else could I do? I didn't want to get kicked out; and I didn't think my boyfriend would have anything to do with me if I had to go through it.

We had the day of the abortion planned out -- to keep it a secret from everyone. The Saturday of the abortion my boyfriend had baseball tryouts and thought he had the chance to be a starter. So I told my parents that me and his friend were going to follow him in the bus to tryouts. So the day of the abortion, his friend drove me to the clinic. It was pretty early in the morning. I don't even remember getting ready. The abortion experience was worse than being abused. I sat there in the waiting room which was smaller than I expected desiring to leave -- so desperately! But I felt trapped and alone. After sitting for about 45 mins., at least, I was taken into the office connected to the little lobby where I handed the man the cash for the "procedure." Then, I was ushered to the same room

again to wait even longer. Eventually, I was taken in to another room where the lady explained that I would get changed into a hospital gown. I don't remember much else said. It was a short meeting. I wasn't told about any risks involved or the specifics of what the "doctor" would do. From that room I was led down the short hall to an open waiting room -- much smaller -- on the left side where I changed into the gown behind a cloth dressing room. In what seemed like HOURS later, I was finally taken into a room with a doctors/hospital examining OB/GYN table. I think I remember being injected with something inside of me to cause numbness; but I'm not sure. Then I hear a very loud vacuum noise & the most immense, intense pain I have ever felt. The "procedure" lasted about 5 mins., probably. I was given some pink stuff to drink -- antibiotic I think. Then about 1 hr later I was discharged and still in a lot of pain. From the time I walked in the door to the time I walked out, I probably spent at least 5 hrs. there. I suffered the most emotionally. I hated myself, hated what I did & wanted my baby back! I know and still believe I'd of had a girl. It was the most bitter and depressing time of my life. No anguish can compare. I'll carry the scar with me for the rest of my life; even though I know I've been forgiven by God. There are days when I have to forgive myself all over again. Now I have twins -- boy & girl. I was so anguished I purposefully got pregnant when I was 19. They were born in '95 & will be 8 on March 19. I worry that when my husband & I want to try for our own that I won't be able to. Des & Eric (twins) are not his biological children. We pray that we will be blessed with 3 healthy children. After all God is so gracious & merciful & forgiving as shown me by my twins.

[994]

Please use my: ☒ full name.

/s/ Christian Marie Ongley

☐ initials only.

My signature evidences my authority to use this affidavit for all purposes.

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this ____ day of 31st, 2003.

/s/ Lillian R. Wouters

Notary Public